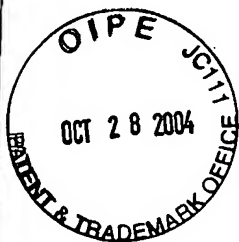


FAX COVER SHEET

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Telephone (212) 808-0700

October 28, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP MISSING PARTS

FAX NUMBER 703-746-4060

TOTAL PAGES 9 (Including Fax Cover)

SERIAL NO. : 10/760,512

APPLICANT : Stephan HÜTTE, et al.

FILED : January 20, 2004

FOR : CHLORINE-RESISTANT ELASTAN FIBERS


ATTORNEY
DOCKET NO. : 100717-605 / Bayer 10266-WCG

RECEIVED
OCT 29 2004
OIP E / JCTI E

Comments: Attached are

1. Response to Notice to File Missing Parts (2 sheets) - **CHARGE DEPOSIT ACCOUNT \$130**
2. copy of PTO Notification of Missing Parts (2 sheets)
3. Executed Declaration (2 sheets)
4. Paper indicating which Ten Patent Practitioners are to be recognized (2 sheets)

Respectfully submitted,


William C. Gerstenzang

Reg. No. 27,552

VIA FACSIMILE: 703-746-4060
Date: October 28, 2004

Attorney Docket No.: 100717-605 / Bayer 10266-WCG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Stephan HÜTTE, et al.
Serial No. : 10/760,512
Filed : January 20, 2004
For : CHLORINE-RESISTANT ELASTAN FIBERS
Art Unit : To Be Assigned
Examiner : To Be Assigned

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

COMMUNICATION RE: FILING OF DECLARATION ON
A DATE LATER THAN THE FILING DATE OF THE APPLICATION

This is in response to the Notice to File Missing Parts dated September 17, 2004, in the above-identified application. A copy of said Notice is attached hereto.

It is respectfully requested that the enclosed declaration submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☒ other than a small entity

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

- ☐ \$ 65.00 for small entity
☒ \$130.00 for other than small entity.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

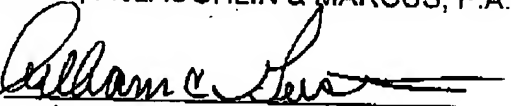
ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By


William C. Gerstenzang
Reg. No. 27,552

WCG/zs
Encs. - executed Declaration

875 Third Avenue - 18th Floor
New York, New York 10022
(212) 808-0700

I hereby certify that this correspondence is being transmitted via facsimile, no. 703-746-4060 to the United States Patent and Trademark Office, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on,

By


Zsuzsa Schuster

Date October 28, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/760,512	01/20/2004	Stephan Hutte	Bayer 10266-WCG

Norris, McLaughlin & Marcus P.A.
30th Floor
220 East 42nd Street
New York, NY 10017

CONFIRMATION NO. 1491

FORMALITIES LETTER

OC000000013837130

Date Mailed: 09/17/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

10/29/2004 JBALINAN 00000035 141263 10760512

01 FC:1051 130.00 DA

N. Mohammed
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY